

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BERT ROEHL,

Plaintiff,

v.

MARK NEWMAN,

Defendant.

ORDER

15-cv-163-jdp

Petitioner Bert Roehl brings a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Dkt. 1. I concluded in a previous order that he procedurally defaulted on his claims by failing to timely appeal them to the Wisconsin Supreme Court. Dkt. 43. I gave petitioner an opportunity to overcome his default by explaining the cause and prejudice of his failure to appeal, and how his default would constitute “a fundamental miscarriage of justice.” *See Coleman v. Thompson*, 501 U.S. 722, 750 (1991). I gave petitioner until April 18, 2016, to respond, and I warned petitioner that I would dismiss his petition if he failed to overcome his default. Dkt. 43. The deadline has passed, and petitioner has failed to respond. Accordingly, I will dismiss his petition.

ORDER

IT IS ORDERED that petitioner Bert Roehl’s petition for a writ of habeas corpus under 28 U.S.C. § 2254, Dkt. 1, is DISMISSED with prejudice. The clerk of court is directed

to close this case.

Entered May 9, 2016.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge